

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

| | | |
|--------------------------------------------|---|---------------------------------------|
| SE PROPERTY HOLDINGS, LLC, |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. 12-00303-KD-M |
| |) | |
| SANDY CREEK II, LLC, <i>et al.</i>, |) | |
| Defendants. |) | |

JUDGMENT

In accordance with the Court’s first-entered Order dated June 21, 2013 (Doc. 114), its first-entered Order dated August 23, 2013 (Doc. 127), and its Order dated January 7, 2014 (Doc. 150), it is hereby **ORDERED, ADJUDGED, and DECREED** that judgment is entered in favor of Plaintiff SE Property Holdings, LLC (“SEPH”) and against Defendant Sandy Creek II, LLC (“SC II”) on SEPH’s claim against SC II asserted in Count I of the Complaint (Doc. 1) and that judgment is entered in favor of SEPH and against Defendant George W. Skipper, III (“Skipper”) on SEPH’s claim against Skipper asserted in Count II of the Complaint.¹ Pursuant to said judgments, SEPH is awarded the following amounts:

- With respect to Promissory Note 1 (i.e. the amended promissory note dated July 28, 2009, loaning the principal sum of \$3,521,057.89), SEPH shall recover from SC II and Skipper, jointly and severally, the amount of **\$114,438.45**, consisting of \$113,605.34 in principal and \$833.11 in accrued interest as of January 14, 2014, along with interest accruing at a *per diem* rate of \$25.24563 from January 14, 2014, until the date of entry of this Judgment.
- With respect to Promissory Note 2 (i.e. the amended promissory note dated July

¹ All other Defendants have been dismissed on settlement (Docs. 133, 149), and no part of this Judgment shall apply to them.

28, 2009, loaning the principal sum of \$1,999,645.83), SEPH shall recover from SC II and Skipper, jointly and severally, the amount of **\$128,004.71**, consisting of \$127,072.85 in principal and \$931.86 in accrued interest as of January 14, 2014, along with interest accruing at a *per diem* rate of \$28.23841 from January 14, 2014, until the date of entry of this Judgment.

- In addition to the aforementioned amounts, SEPH shall recover from SC II and Skipper, jointly and severally, **\$235,419.68** in attorneys' fees, costs, and expenses.

DONE and **ORDERED** this the **23rd** day of **January 2014**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE